

AMENDED IN ASSEMBLY MARCH 18, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 403

Introduced by Assembly Member Romero
(Coauthors: Assembly Members Davis, Keeley, Knox,
Kuehl, Pescetti, Scott, Steinberg, and Thomson)
(Coauthors: Senators Bowen, Chesbro, Hayden, and Solis)

February 12, 1999

An act to add Section 6228 to the Family Code, relating to family law.

LEGISLATIVE COUNSEL'S DIGEST

AB 403, as amended, Romero. Domestic violence.

Existing law establishes procedures for the prevention of domestic violence and provides both civil and criminal sanctions for acts of domestic violence.

This bill, *the Access to Domestic Violence Reports Act of 1999*, would require each state and local law enforcement agency to, without delay, provide a copy of a report relating to an incident of domestic violence to a victim of the domestic violence when the victim requests a copy, thereby imposing a state-mandated local program. The bill would prohibit any fee for one copy; and would require certain identifying information to be deleted.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State

Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6228 is added to the Family
2 Code, to read:

3 6228. (a) Each state and local law enforcement
4 agency shall, without delay, provide a copy of a report
5 relating to an incident of domestic violence to a victim of
6 the domestic violence when the victim requests a copy.
7 Requests made in person shall be honored at the time
8 they are made.

9 (b) There shall be no fee charged for the provision of
10 one copy of any report relating to an incident of domestic
11 violence.

12 (c) The address and telephone number of the victim
13 and the names, addresses, and telephone numbers of all
14 witnesses shall be deleted from any report provided
15 under this section.

16 (d) *This section shall be known and may be cited as the*
17 *“Access to Domestic Violence Reports Act of 1999.”*

18 SEC. 2. Notwithstanding Section 17610 of the
19 Government Code, if the Commission on State Mandates
20 determines that this act contains costs mandated by the
21 state, reimbursement to local agencies and school
22 districts for those costs shall be made pursuant to Part 7
23 (commencing with Section 17500) of Division 4 of Title
24 2 of the Government Code. If the statewide cost of the
25 claim for reimbursement does not exceed one million

1 dollars (\$1,000,000), reimbursement shall be made from
2 the State Mandates Claims Fund.

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